

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 11, 2016, 2:00 p.m.

This being the day fixed by the constitution of the State of Kansas for the assembling of the 2016 session of the legislature, the House was called to order at 2:00 p.m. by Speaker Ray Merrick.

Speaker Merrick announced the appointment of Susan Kannarr as Chief Clerk, Foster Chisholm as Sgt. At Arms and the Rev. Eunice Brubaker as the House Chaplain for 2016.

The roll was called with 119 members present.
Rep. Seiwert was excused on verified illness.
Rep. Sloan was excused on legislative business.
Reps. Hedke, Kelley, Lunn and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
As we begin this new session,
help us to remember that
we are servants building a future not of our own.
We will plant seeds that one day will grow.
We will water seeds already planted
knowing they hold promise for the future.
We will provide yeast
that will produce outcomes beyond our capabilities.
There is liberty in knowing we cannot do everything,
yet this liberty enables us to do something
to the best of our abilities.
We may never see the end results,
but we are okay with that because we realize we are
the servants, not the master builder –
we are the servants for a future that is not of our own.
I pray this in Your Son's Name,
Amen.

The Pledge of Allegiance was led by Rep. Smith.

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Ben Scott, Topeka, Kansas, was appointed by the Governor effective November 20, 2015, for the unexpired term of State Representative for the 58th Legislative District, to fill the vacancy created by the resignation of Harold Lane.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 20th day of November, A.D. 2015.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Ken Rahjes, Agra, Kansas, was appointed by the Governor effective December 29, 2015, for the unexpired term of State Representative for the 110th Legislative District, to fill the vacancy created by the resignation of Travis Couture-Lovelady.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 29th day of December, A.D. 2015.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Henry Helgerson, Eastborough, Kansas, was appointed by the Governor effective January 5th, 2016, for the unexpired term of State Representative for the 83rd Legislative District, to fill the vacancy created by the resignation of Carolyn Bridges.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 5th day of January, A.D. 2016.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, Kris Kobach, Secretary of State of the State of Kansas, do hereby certify that Chuck Weber, Wichita, Kansas, was appointed by the Governor effective January 11, 2016, for the unexpired term of State Representative for the 85th Legislative District, to fill the vacancy created by the resignation of Steven R. Brunk.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 11th day of January, A.D. 2016.

Kris W. Kobach
Secretary of State

COMMUNICATIONS FROM STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2015 Regular Session of the Legislature:

From Susan Mosier, MD, Secretary, Department of Health and Environment, the Application from the Kansas Association of Sleep Professionals for credentialing Polysomnographic Technologists.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 22a-243, the 2015 annual report of the Kansas State Child Death Review Board.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, the audited financial statements for the fiscal year ending June 30, 2015.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, in accordance with the requirements of K.S.A. 19-5005(e), its Annual Report concerning the financial activities of the Authority.

From Tim Shallenburger, President, Kansas Development Finance Authority, the statutorily required financial statements for the fiscal years ended June 30, 2014 and 2015.

From Robin Lewis, Chair, Kansas Advisory Group on Juvenile Justice and Delinquency Prevention, the Annual Report to the Governor.

From William B. Swearer, Chair, Kansas Commission on Judicial Qualifications, the Annual Report for 2014.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, the 2015 Annual Report.

From Alan D. Conroy, Executive Director, and Judy McNeal, Chief Fiscal Officer, Kansas Public Employees Retirement System, the 2015 Comprehensive Annual Financial Report, also available online at <http://www.kpers.org/annualreport2015.pdf>.

From Alan D. Conroy, Executive Director, Kansas Public Employees Retirement System, the required report on alternative investments as of December 31, 2015.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4222(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2015.

From the Office of Governor Sam Brownback:

Executive Directive No. 15-462, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-463, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-464, Authorizing Fund Transfers.

Executive Directive No. 15-465, Authorizing Personnel Transactions.

Executive Directive No. 15-466, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-467, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-468, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-469, Authorizing Expenditure of Federal Funds.

Executive Directive No. 15-470, Authorizing Personnel Transactions.

Executive Order No. 15-04, a Drought Watch, replacing Executive Order No. 14-04.

Executive Order No. 15-05, Preservation and Protection of Religious Freedom.

Executive Order No. 15-06, Designation of the **KANSASWORKS** State Board as the State Workforce Development Board.

Executive Order No. 15-07, Protecting Kansas From Terrorism.

Executive Order No. 16-01, Protecting Kansas From Terrorism.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Burroughs, **HR 6029**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6029**---

A RESOLUTION relating to the organization of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ray Merrick, speaker,
Peggy Mast, speaker pro tem,
Gene Vickrey, majority leader,
Tom Burroughs, minority leader,
Susan Kannarr, chief clerk,
Foster Chisholm, sergeant at arms,
and awaits the pleasure of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Burroughs, **HR 6030**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6030**---

A RESOLUTION relating to assignment of seats in the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the members of the 2016 regular session of the legislature shall occupy the same seats assigned pursuant to 2015 House Resolution No. 6021 with the following exceptions: Edmonds, seat No. 66; Helgerson, seat No. 54; Pauls, seat No. 23; Rahjes, seat No. 25; Scott, seat No. 57; Weber, seat No. 82.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2436, AN ACT concerning motor vehicles; relating to drivers' licenses, examinations, motorcycles; amending K.S.A. 2015 Supp. 8-240 and repealing the existing section, by Representative Merrick.

HB 2437, AN ACT concerning maintenance of effort requirements; prohibition on acceptance, by Representative Claeys.

HB 2438, AN ACT concerning fire districts; adding territory of adjoining cities; amending K.S.A. 19-3605 and 19-3623 and repealing the existing sections, by Representative Merrick.

HB 2439, AN ACT concerning the division of workforce development of the department of commerce; abolishing the division and transferring its powers, functions, assets and liabilities to the department of labor; amending K.S.A. 2015 Supp. 72-4427, 72-4460, 74-32,151, 74-32,160, 74-5002y, 74-50,209 and 75-5701b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-5002s, 74-5002t, 74-5002u, 74-5002v, 74-5002w, 74-5002x and 75-5701a, by Representative Claeys.

HB 2440, AN ACT concerning firearms; relating to the personal and family protection act; relating to the carrying of concealed handguns in public areas; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Representative Claeys.

HB 2441, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2442, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2443, AN ACT concerning economic development; relating to promotion of the unmanned aircraft systems industry in Kansas and establishing a director and office to develop and coordinate a plan for such promotion; amending K.S.A. 2015 Supp. 74-4911f and repealing the existing section, by Representative Claeys.

HB 2444, AN ACT concerning taxation; relating to income tax, addition and subtraction modifications; sales and compensating use tax, rates, food and distribution thereof; amending K.S.A. 2015 Supp. 79-32,117, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Representative Hutton.

HB 2445, AN ACT concerning the pet animal act; relating to euthanasia; amending K.S.A. 2015 Supp. 47-1718 and repealing the existing section, by Representatives Kiegerl and Hildabrand.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2446, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limit for property damage; amending K.S.A. 40-3107 and repealing the existing section, by Committee on 2015 Special Committee on Insurance.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Burroughs, **HCR 5020**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. **HCR 5020**---

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the House of Representatives of the State of Kansas, the Senate

concurring therein: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

In accordance with **HCR 5020**, Speaker Merrick appointed Reps. Campbell, Ewy and Sawyer to wait upon the Governor.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Burroughs, **HCR 5021**, by Reps. Merrick and Burroughs, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. HCR 5021---

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives meet in joint session in Representative Hall at 5:00 p.m. on January 12, 2016, for the purpose of hearing the message of the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5021**, Speaker Merrick appointed Reps. Campbell, Ewy and Lusker to escort the Governor.

Reps. Hutchins, Ryckman, Sr. and Whipple to escort the Lt. Governor.

Reps. Barker, Estes and Curtis to escort the Supreme Court.

Reps. Barton, Whitmer and Ousley to escort the Senate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2445**.

Appropriations: **HB 2437, HB 2443**.

Commerce, Labor and Economic Development: **HB 2439**.

Education: **HB 2441**.

Federal and State Affairs: **HB 2440**.

Local Government: **HB 2438**.

Taxation: **HB 2444**.

Transportation: **HB 2436**.

Veterans, Military and Homeland Security: **HB 2442**.

CHANGE OF REFERENCE

Speaker Merrick announced the withdrawal of **HB 2381, HB 2371, HB 2208, Sub HB 2362, SB 59** from the Calendar under the heading General Orders and referral to

Committee on Appropriations.

Also, the withdrawal of **HB 2100** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2426** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2021**, **HB 2026**, **HB 2067**, **HB 2176**, **HB 2204**, **HB 2249**, **HB 2286**; **Sub SB 155** from Committee on Insurance and referral to Committee on Insurance and Financial Institutions.

Also, the withdrawal of **HB 2374**; **SB 55** from the Committee on Financial Institutions and referral to Committee on Insurance and Financial Institutions.

STANDING COMMITTEES OF THE HOUSE 2016 LEGISLATIVE SESSION

Agriculture and Natural Resources: Schwartz, *Chairperson*; Boldra, *Vice Chairperson*; Clark, Concannon, Dierks, Ewy, Francis, Hibbard, Lewis, Moxley, Rahjes, Read, Schroeder, Seiwert, Sloan, S. Swanson, Thimesch, Waymaster

Victors, *Ranking Minority Member*; Carlin, Lusker, Trimmer, Wilson

Agriculture and Natural Resources Budget: Hoffman, *Chairperson*; Schroeder, *Vice Chairperson*; Clark, Clayton, Gallagher, Hibbard, Johnson

Carlin, *Ranking Minority Member*; Henry

Appropriations: Ryckman, *Chairperson*; Schwartz, *Vice Chairperson*; Barker, W. Carpenter, Claeys, Grosserode, Hawkins, Highland, Hoffman, Hutton, Kahrs, Kleeb, Lunn, Macheers, Proehl, Rhoades, Suellentrop, Waymaster

Henry, *Ranking Minority Member*; Ballard, Carlin, Finney, Wolfe Moore

Calendar and Printing: Vickrey, *Chairperson*; Merrick, *Vice Chairperson*; Goico, Mast Burroughs, *Ranking Minority Member*; Ruiz

Children and Seniors: O'Brien, *Chairperson*; E. Davis, *Vice Chairperson*; Dove, Gallagher, Garber, Kiegerl, Phillips, Rahjes, C. Smith, S. Swanson

Victors, *Ranking Minority Member*; Ousley, Wilson

Commerce, Labor and Economic Development: Hutton, *Chairperson*; Mason, *Vice Chairperson*; Billinger, W. Carpenter, Claeys, Corbet, E. Davis, Hemsley, Kleeb, F. Patton, Suellentrop, Weber, C., K. Williams

Frownfelter, *Ranking Minority Member*; Ruiz, Tietze, Whipple

Corrections and Juvenile Justice: Rubin, *Chairperson*; Gonzalez, *Vice Chairperson*; Alford, Anthimides, Becker, Finch, Jennings, Moxley, Pauls, S. Swanson

Highberger, *Ranking Minority Member*; Finney, Kuether

Education: Highland, *Chairperson*; Lunn, *Vice Chairperson*; Barker, Barton, Boldra, Bradford, Bruchman, Grosserode, Hedke, Hutchins, K. Jones, Kelley, Macheers, Rhoades, C. Smith

Winn, *Ranking Minority Member*; Lusk, Ousley, Trimmer

Education Budget: Grosserode, *Chairperson*; Sutton, *Vice Chairperson*; Bollier, Hildabrand, Huebert, O'Brien, Peck

Winn, *Ranking Minority Member*; Henry

Elections: Kahrs, *Chairperson*; Esau, *Vice Chairperson*; Bollier, Campbell, Dierks, Hill, Huebert, O'Brien, Peck, Scapa

Sawyer, *Ranking Minority Member*; Alcalá, Carmichael

Energy and Environment: Hedke, *Chairperson*; Corbet, *Vice Chairperson*; Barton, Bruchman, Esau, Jennings, Kelley, Kiegerl, Mason, McPherson, Moxley, Phillips, R. Powell, Sutton, Whitmer
Kuether, *Ranking Minority Member*; Carmichael, Highberger, Lusker

Federal and State Affairs: Pauls, *Chairperson*; Todd, *Vice Chairperson*; Becker, Bradford, Clayton, Concannon, DeGraaf, Estes, Ewy, Hemsley, Hildabrand, Hineman, Houser, D. Jones, Read, Scapa, Weber, C., K. Williams

Tietze, *Ranking Minority Member*; Henderson, Lusk, Scott, Winn

General Government Budget: Waymaster, *Chairperson*; McPherson, *Vice Chairperson*; Concannon, Garber, Hineman, Rahjes, Sutton

Wolfe Moore, *Ranking Minority Member*; Curtis

Health and Human Services: Hawkins, *Chairperson*; Dove, *Vice Chairperson*; B. Carpenter, Edmonds, Estes, Hildabrand, D. Jones, Kelly, Osterman, R. Powell, Schwab, Thompson, Whitmer
Ward, *Ranking Minority Member*; Henderson, Houston, Wilson

Interstate Cooperation: Merrick, *Chairperson*; Mast, *Vice Chairperson*; Goico, Vickrey
Burroughs, *Ranking Minority Member*; Tietze

Judiciary: Barker, *Chairperson*; Macheers, *Vice Chairperson*; Alford, Becker, B. Carpenter, E. Davis, Finch, Hoffman, Hutchins, Kahrs, McPherson, Osterman, F. Patton, Pauls, R. Powell, Rubin, Todd, Whitmer

Carmichael, *Ranking Minority Member*; Curtis, Highberger, Kuether, Ward

Legislative Budget (House): Ryckman, *Chairperson*; Schwartz, *Vice Chairperson*; Goico, Mast, Merrick, Vickrey

Burroughs, *Ranking Minority Member*; Ruiz

Local Government: Huebert, *Chairperson*; Phillips, *Vice Chairperson*; Campbell, Esau, Francis, Kahrs, Kiegerl, Lewis, Peck, Scapa

Alcalá, *Ranking Minority Member*; Carmichael, Scott

Pensions and Benefits: Johnson, *Chairperson*; Thompson, *Vice Chairperson*; Billinger, E. Davis, Edmonds, Hill, Hutchins, K. Jones, Kelly, Peck

Trimmer, *Ranking Minority Member*; Alcalá, Trimmer, Ward

Rules and Journal: Barker, *Chairperson*; Kahrs, Macheers, Pauls, Schwab

Sawyer, *Vice Chairperson*; Trimmer

Social Services Budget: W. Carpenter, *Chairperson*; Mast, *Vice Chairperson*; Bruchman, Clayton, Gallagher, Garber, K. Williams

Ballard, *Ranking Minority Member*; Lusk

Taxation: Kleeb, *Chairperson*; Suellentrop, *Vice Chairperson*; Corbet, Edmonds, Hedke, Hemsley, Highland, Hineman, Hutton, Johnson, Kelley, Lunn, Mason, Phillips, Rhoades, Ryckman Sr., Thompson, Weber, C.

Sawyer, *Ranking Minority Member*; Alcalá, Helgerson, Whipple, Wolfe Moore

Transportation: Proehl, *Chairperson*; Ryckman Sr., *Vice Chairperson*; Doll, Ewy, Goico, Houser, Read, Rooker, Schwartz, Seiwert, Sloan, Thimesch, Todd

Lusker, *Ranking Minority Member*; Ballard, Helgerson, Victors

Transportation and Public Safety Budget: Claeys, *Chairperson*; Jennings, *Vice Chairperson*; Gonzalez, Houser, Kiegerl, Proehl, Rooker
Finney, *Ranking Minority Member*; Tietze

Utilities and Telecommunications: Seiwert, *Chairperson*; Alford, *Vice Chairperson*; Anthimides, Boldra, Bruchman, Corbet, Doll, Finch, Gonzalez, Hibbard, Ryckman Sr., Schroeder, Schwab, Thimesch, Thompson
Kuether, *Ranking Minority Member*; Frownfelter, Trimmer, Whipple

Veterans, Military and Homeland Security: Goico, *Chairperson*; Osterman, *Vice Chairperson*; Barton, B. Carpenter, Clark, Dierks, Hutchins, K. Jones, F. Patton, Rubin
Lusker, *Ranking Minority Member*; Helgerson, Houston

Vision 2020: Campbell, *Chairperson*; Sloan, *Vice Chairperson*; Bollier, Francis, Garber, Lewis, O'Brien, F. Patton, Rooker, S. Swanson
Curtis, *Ranking Minority Member*; Houston, Ousley

SELECT COMMITTEE

Pursuant to Rule 1103, Speaker Merrick appointed a select committee to be designated as the **Committee on Insurance and Financial Institutions** with the appointments of Rep. Schwab, Chair; Rep. Kelly, Vice-chairperson; Rep. Houston, Ranking Minority Member; Reps. Anthimides, Barton, Billinger, Bradford, Campbell, Doll, Dove, Esau, Estes, Frownfelter, Goico, Hawkins, Henderson, Hill, D. Jones, K. Jones, Ousley, Scapa, Scott and Smith as members.

INTRODUCTION OF GUESTS

Speaker Merrick introduced Dr. Diane Steere, of Wichita. Dr. Steere is the 68th President of the Kansas Academy of Family Physicians. She is in private practice at Wichita Family Medicine Specialists in Wichita and an associate volunteer professor for the KU School of Medicine-Wichita. She graduated from the University of Dayton in Dayton, Ohio and is a graduate of the Michigan State University College of Human Medicine for MD. Dr. Steere completed her residency at Wesley Family Medicine Residency Program in Wichita.

The association sponsors the doctor of the day program and provides daily assistance for health concerns of those serving the Statehouse during the session.

COMMITTEE ASSIGNMENT CHANGES

Speaker Merrick announced the appointment of Rep. Ruiz to temporarily replace Rep. Winn on Committee on Federal and State Affairs, January 11–18, 2016.

Also, the appointment of Rep. Burroughs to temporarily replace Rep. Winn on Committee on House Education and Committee House Education Budget, January 11-18, 2016.

On motion of Rep. Vickrey, the House adjourned until 11:00 a.m., Tuesday, January 12, 2016.